REMARKS

Claims 47-60 are in the application. Claims 1-46 are canceled and claims 47-60 were previously presented. Claims 47, 52, and 54 are the independent claims of this application.

Reconsideration and further examination are respectfully requested.

Double Patenting

Claims 47, 52, and 54 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of co-pending application S/N: 10/941,417 (hereinafter, the '417 application). This rejection is traversed.

While the Office Action admits that claims 47, 52, and 54 are not the same as claim 1 in the '417 application, the Examiner concludes that the subject claims are not patentably distinct from each other. Applicant respectfully submits that the Office Action does not appear to appreciate the significance of, for example, the claimed calculating a first and second political risk score/numerical value and based on the first and second political risk score/numerical values, calculating an overall transaction political risk quotient. The claim language is in contrast to claim 1 of the '417 application that includes, in part, structuring received information and calculating a risk quotient using the structured information.

Applicant further submits that the claim language, though concise, deserves the full consideration of the Office. In particular, Applicant notes that the cited and relied upon '417 application has not yet been examined by the Office (e.g., no Office Actions yet mailed by the Office).

Application respectfully requests the reconsideration and withdrawal of the provisional double-patenting rejection. In the instance the Office maintains this rejection, Applicant reserves the *right* to file a terminal disclaimer.

Rejections under 35 U.S.C. §112, 1st para. and 2nd para.

The Examiner rejects claims 47-53 under 35 U.S.C. §112, 1st paragraph, stating that the "claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertain, or with which it is most nearly connected, to make and/or use the invention." Applicant respectfully traverses this rejection.

The Examiner also rejects the claims under 35 U.S.C. §112, 2nd paragraph as allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. To support the rejection under 35 U.S.C. §112, 2nd paragraph, the Examiner reiterates the same reasons as provided for the rejection under 35 U.S.C. §112, 1st paragraph, including citing MPEP section 2164.01(a) that relates to factors that may be used in determining undue experimentation (i.e., enablement). Applicant respectfully traverses this rejection.

In response to the Response and Amendment dated March 2, 2005, the Office Action states that Applicant presented arguments that no clear distinction was made between the rejection under 35 USC 112, 1st paragraph and the rejection made under 35 USC 112, 2nd paragraph. The Examiner replies by merely reiterating the same arguments/statements provided in the original rejection without any clarification as to how the rejections under 35 USC 112, 1st and 2nd paragraphs differ despite being replicas of each other. The Examiner's summation statements of enablement and indefiniteness do not provide a reasoned basis to support the rejections.

Furthermore, the Examiner appears to take exception with number of examples and algorithms disclosed in the specification (referred to as "few" in the Office Action). However, Applicant respectfully submits that the specification and the claims are in fact

commensurate with each other. Also, Application submits that one skilled in the art would fully understand the claims. That is, the claims are in fact enabled and definite.

Applicant also notes the continued mischaracterization of Applicant's specification. For example, the Examiner continues to argue that the specification is replete with uncertain and non-specific terms such as, using the exact language of the Office Action, "may be (or maybe not)" and "can be (or can not)". Despite previous remarks by Applicant that the alleged citations relied upon by the Examiner are not accurate, the Examiner continues to rely on cited material not disclosed in the specification. That is, Applicant does not state "may be (or maybe not)" and "can be (or can not)" as argued by the Examiner but merely states "may be" and "can be". Applicant does not state "may be (or maybe not)" and "can be (or can not)" as alleged. Further, the alleged "or maybe not" and "or can not" is neither inherently implied nor included in the specific use of "may be" and "can be".

Applicant respectfully asserts that the claims (as presented and as amended) are both enabled and definite.

Regarding the Examiner's assertion that the term "quotient" is used in a manner that is unclear (or "the opposite" of its "well known meaning"), Applicant respectfully submits that the claims include the term "transaction political risk quotient". Applicant respectfully submits that the claimed "transaction political risk quotient" is fully disclosed and claimed in a manner consistent therewith. Thus, it is clear that Applicant claims "transaction political risk quotient".

Applicant respectfully submits that the claimed "transaction political risk quotient" is not the same as or suggestive of the cited and relied upon mathematical quotient. That is, Applicant is not merely claiming a quotient but instead claims a "transaction political risk quotient", as disclosed in the specification. Applicant discloses and claims the "transaction political risk quotient". The claimed "transaction political risk quotient" is sufficiently disclosed and explained.

Applicant respectfully submits that each of the pending claims 47-53 are fully enabled by the specification and the specification clearly teaches those skilled in the art how to make and use the full scope of the claimed invention without undue experimentation. Further, Applicant respectfully submits that the claims are commensurate with the specification (that is, the claims closely correspond with the description of the specification).

Rejection under 35 U.S.C. §102

Claims 47-58 were rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,119,103 (hereinafter, Basch). This rejection is respectfully traversed.

The Examiner cites and relies upon Basch for disclosing all aspects of claim 47. However, Basch is related to a financial risk prediction system and method. As such, the risks disclosed and considered relevant and compatible with Basch include an account risk score that is related to a financial risk (e.g., an account). Basch is not concerned with or even directed to a political risk. Political ramifications (i.e., risk) are not disclosed by Basch (not even suggested).

Accordingly, Basch fails to disclose that which is claimed by Applicant. Namely, Basch is silent regarding a disclosure (or even a suggestion) of the claimed "political risk". Although the Examiner generically equates the claimed "political risk" with fraud, Basch does not provide any support for such an analogy.

Therefore, it is clear that the cited and relied upon Basch fails to support the rejection of claim 47 under 35 USC 102(e). Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 47 under 35 USC §103(a).

Claims 48-51 depend from claim 48. Applicant respectfully submits that claims 52 and 54 are patentable over Basch for at least reasons similar to those provided regarding claim 47. Therefore, Applicant respectfully submits that claims 47-58 and 60 are patentable over Basch.

Rejection under 35 U.S.C. §103

The Examiner rejected claim 59 under 35 U.S.C. §103(a) as being unpatentable over Basch. This rejection is respectfully traversed.

As discussed in detail hereinabove, Basch fails to disclose that for which it is cited and relied upon for disclosing regarding claims 47-58 and 60. Claim 59 depends from claim 54. Inasmuch as claim 54 is believed to be patentable over Basch, claim 59 is also patentable over Basch for at least depending from a patentable claim.

It is respectfully submitted that claim 59 is patentable over Basch under 35 USC 103(a).

Conclusion

Accordingly, Applicant respectfully asserts that each of the claims 47-60 are patentable over the cited and relied upon references. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at 203-972-5985. While no fees are believed due in conjunction with this filing, the Director is hereby authorized to charge any fees, or credit any overpayment to Deposit Account Number: 50-1852.

Respectfully submitted,

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Date

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